

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 MARGARET SMITH,
5 Plaintiff,

6 vs.

7 CARDENAS MARKETS, LLC DBA
8 CARDENAS, A FOREIGN
9 LIMITED LIABILITY; LAMANZA, LLC, A
10 DOMESTIC LIMITED LIABILITY
11 COMPANY; DOE MANAGER,
12 INDIVIDUALLY, DOES I-X; AND ROE
13 CORPORATIONS I-X, INCLUSIVE,
14 Defendants.

2:20-cv-00004-GMN-VCF

ORDER

15 Before the Court is Plaintiff's Motion to Withdraw as Counsel (ECF No. 16). Defendants have
16 filed a Notice of Non-Opposition to Motion to Withdraw. (ECF No. 17).

17 Lawrence M. Ruiz, Esq., Amanda L. Laub, Esq., and the Ruiz Law Firm seek leave of court to
18 withdraw as counsel of record for Plaintiff Margaret Smith. (ECF No. 16). Counsel state that they and
19 Ms. Smith have "reached a substantial impasse and it is no longer feasible for the firm to represent
20 Plaintiff's interest." *Id.*

21 The Motion to Remand (ECF No. 8) is pending but there is no pending hearing in this matter.
22 Discovery ends on July 2, 2020 and trial date has not been set.

23 **Discussion:**

24 Pursuant to Local Rule IA 11-6(b), "[n]o attorney may withdraw after appearing in a case except
25 by leave of court after notice has been served on the affected client and opposing counsel." "Except for
good cause shown, no withdrawal or substitution shall be approved if delay of discovery, the trial or any
hearing in the case would result." LR IA 11-6(e). Nevada Rule of Professional Conduct 1.16(b)(5)
provides that a lawyer may withdraw if the "client fails substantially to fulfill an obligation to the lawyer

1 regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw
2 unless the obligation is fulfilled." Here, based on Plaintiff's counsel's representation that substantial
3 impasse has been reached between counsel and Plaintiff, the Court permits counsel to withdraw. LR IA
4 11-6(b); NRPC 1.16(b)(5). The Court finds that permitting counsel to withdraw would not result in delay.
5 LR IA 11-6(e).

6 Accordingly, and for good cause shown,

7 IT IS HEREBY ORDERED that the Plaintiff's Motion to Withdraw as Counsel (ECF No. 16) is
8 GRANTED.

9 IT IS FURTHER ORDERED that Lawrence M. Ruiz, Esq., Amanda L. Laub, Esq. must mail a
10 copy of this order to Plaintiff.


11 IT IS FURTHER ORDERED that Plaintiff must either retain counsel or file a notice of appearing
12 *pro se* on or before April 24, 2020.

13 IT IS FURTHER ORDERED that Plaintiff must file with the Court written notification of any
14 change of address.

15 The Clerk of Court is directed update Plaintiff's contact information on the docket and mail a copy
16 of this order to Plaintiff at the following address:

17 Margaret Smith
18 300 Promenade Cove
19 Las Vegas, Nevada 89107
20 Telephone: 702-339-2555

21 DATED this 24th day of March, 2020.

22 
23 CAM FERENBACH
24 UNITED STATES MAGISTRATE JUDGE
25